IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

W.A.No.449 of 2007

AGAINST THE JUDGEMENT IN W.P.(C).NO.5937/2006 DATED 15.1.2007

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APPELLANT/RESPONDENT NO.4:-

M.K. GUNAVARDHANAN,
S/O.MUNAPPIL KOCHUMAMAN, EATHIRUTHY VILLAGE,
KODUNGALLUR TALUK, THRISSUR DISTRICT.

BY ADV. SRI.P.RAVINDRAN

RESPONDENTS/PETITIONER & RESPONDENTS 1 TO 3:-

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1. MOHANDAS, S/O. RAMAN,
   KATTIKULAM HOUSE, EDATHIRUTHY VILLAGE,
   DESOM, KODUNGALLUR TALUK,
   THRISSUR DISTRICT.

2. THE REVENUE DIVISIONAL OFFICER,
   THRISSUR, COLLECTORATE, AYYANTHOLE, THRISSUR.

3. THE TAHSILDAR, KODUNGALLUR TALUK,
   KODUNGALLUR, THRISSUR.

4. THE TALUK SURVEYOR, KODUNGALLUR TALUK,
   KODUNGALLUR, THRISSUR.

R1 BY SRI.N.K.SUBRAMANIAN
R2 TO R4 BY SR.GOVERNMENT PLEADER SMT.MEERA

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 24/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN, J.

W.A.No.449 of 2007

Dated, this the 24th day of May, 2007

JUDGMENT

H.L.Dattu, C.J.

We have given our anxious consideration to the submissions made by both the learned counsel and also we have perused the impugned order passed by the learned Single Judge. By the impugned order the learned Single Judge has directed the 4th respondent to conduct survey of the lands in dispute after issuing notice to all the parties. The learned Single Judge has further observed in his order that the dispute in so far as possession and ownership of the property will be settled only by the civil court. To say the least, the learned Single Judge has protected the interests of the petitioner as well as the contesting respondent. In our view, we see no error in the order passed by the learned Single Judge which requires interference in this appeal.

Therefore, the writ appeal requires to be rejected and it is accordingly rejected. Ordered accordingly.

(**H.L.DATTU)**
Chief Justice

(K.T.SANKARAN)
Judge

vns